

Board of Supervisors Hearing Date: May 26, 2009

Case Summary: Project No. R2007-01282-(3)
Conditional Use Permit Case No. 200700104-(3)
Environmental Assessment Case No. 200700087-(3)
Project Applicant: Visions Treatment Center, LLC
RPC Appeal Hearing Date: November 5, 2008
HO Hearing Date: September 2, 2008

Synopsis

The applicant, Visions Treatment Center LLC, requests a conditional use permit to expand an existing by right group home for 6 children to a group home for 14 children in an A-1-10 (Light Agriculture – 10 Acres Minimum Required Area) zone located at 900 Latigo Canyon Road within the Malibu Zoned District.

The group home is a post-treatment transitional living facility for children under the age of 18 with past substance and alcohol abuse problems. The proposed project site is developed with an existing group home for 6 children, which is allowed by-right in the A-1 zone. The request is to expand the group home to a maximum of 14 children, which requires a conditional use permit.

The project proposes to expand the existing facility in two phases. Phase one expansion to 12 children will not require new construction as the additional children will be accommodated in existing facilities. Phase two expansion will require the expansion of one existing structure, from 170 square feet to 950 square feet.

This case was first considered and approved by the Hearing Officer on September 2, 2008. In response to opposition testimony, the Hearing Officer strengthened the conditions by requiring the applicant to obtain Building and Safety's approval of unpermitted structures, to obtain Department of Health Services' approval of sewage facilities and water system, to obtain Fire Department's approval of fuel modification plan and emergency evacuation plan. The Hearing Officer's approval was appealed by the opposition.

The appeal was heard by the Regional Planning Commission on November 5, 2008. The Commission voted 4-0 to uphold the Hearing Officer's approval. The Commission's decision is being appealed by the opposition.

Project Proponents

The applicant and the applicant's representative testified in favor of the project. Over the course of two hearings, five letters of support were submitted by neighbors. Project proponents stated the group home has been a good neighbor and has operated without any problems. One stated that a conditional use permit would give neighbors a measure of control over how the facility is operated.

Project Opposition

The opposition is represented by two neighbors, one of whom testified in person at each hearing. In addition, they submitted 15 letters of opposition. The opposition raised the following issues:

- There are un-permitted structures on the subject property.
- The existing onsite wastewater treatment system does not have the capacity to accommodate the requested expansion.
- The project will increase traffic on a narrow and winding road.

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